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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GREGORY LEE WOLF,
Plaintiff,

v.

STATE OF NEVADA EX REL
DEPARTMENT OF CORRECTIONS, *et al.*,
Defendants.

VINCENT MARK SANTANA,
Plaintiff,

v.

DAVID REVUS, *et al.*,
Defendants

Case No. 3:22-cv-00308-MMD-CSD

Consolidated with

Case No. 3:23-cv-00395-ART-CSD

**STIPULATION AND ORDER TO
EXTEND DISCOVERY
DEADLINES 14 DAYS**

[First Request]

Plaintiff, and Defendants, by and through their respective counsels, hereby submit their stipulation and proposed order to extend the Discovery deadlines by 14 days. This stipulation is made pursuant to the Federal Rule of Civil Procedure 6(b)(1)(A), and it is based upon the following Memorandum of Points and Authorities and all other pleadings and files contained herein. This is the first request to extend the subject deadline.

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MEMORANDUM OF POINTS AND AUTHORITIES

I. NATURE OF THE MOTION

Good cause exists to extend the discovery deadlines in this matter.

II. BRIEF STATEMENT OF THE CASE

After the consolidation of these cases, on July 12, 2024, this Court issued a scheduling order and set the following discovery deadlines in this matter. ECF No. 83.

- Discovery cutoff: April 25, 2025
- Deadline to Serve Discovery: March 21, 2025
- Deadline to File Discovery Motions: January 23, 2025
- Deadline to Disclose Experts: February 20, 2025
- Deadline to Disclose Rebuttal Experts: March 24, 2025
- Dispositive motions: May 21, 2025
- Joint proposed pretrial order: June 20, 2025, or 30 days after resolution of dispositive motions.

III. Relevant Law

Pursuant to Fed. R. Civ. P. 6(b)(1)(A), the court may, for good cause, extend the time in which an act must be done if a request is made before the original time or its extension expires. The proper procedure, when additional time for any purpose is needed, is to present a request for extension of time before time then fixed for the purpose in question has expired. *Canup v. Mississippi Val. Barge Line Co.*, 31 F.R.D. 282 (W.D.Pa.1962). Extensions of time may always be asked for and usually are granted on a showing of good cause if timely made under subdivision (b)(1) of the Rule. *Creedon v. Taubman*, 8 F.R.D. 268 (N.D. Ohio 1947). Under Local Rule 26-3, “[a] motion or stipulation to extend any date set by the discovery plan, scheduling order, or other order must ... be supported by a showing of good cause for the extension.” In addition, “[a] request made within 21 days of the subject deadline must be supported by a showing of good cause.” Local Rule 26-3; ECF No. 37 at 4:21-5:4.

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IV. DISCOVERY COMPLETED

The Parties timely exchanged their initial disclosures in both cases and Plaintiff has propounded one set of Requests for Production of Documents on each of the following Defendants in the Wolf case: Dana Marks, Russelle Donnelly, and Michael Minev. Plaintiff has also propounded follow-up Requests for Production of Documents, Requests for Admission, and Interrogatories to Dana Marks and Michael Minev and is awaiting responses. On or about October 16, 2023, Plaintiff also served NDOC with a subpoena for documents, which was timely responded to.

V. DISCOVERY THAT REMAINS TO BE COMPLETED.

Discovery remaining includes the disclosures of expert/rebuttal witnesses and various discovery requests along with depositions.

Counsel for Defendants has retained an expert to provide an expert report for both of these cases. The expert indicated to counsel for defendant that he would like an additional week to complete his report because the documents in this case are extensive, and he is writing two separate reports for each plaintiff which is taking more time than was originally expected.

On February 19, 2025, counsel for defendants emailed with plaintiffs' counsel seeking a one-week extension, but after a discussion regarding plaintiffs' counsels currently busy schedule, the parties agreed that two weeks for the extension would be more operable.

The parties submit that the facts and the argument contained herein constitute good cause to extend all of the current discovery deadlines. The Parties are diligently prosecuting this case. The motion is made in good faith, without dilatory motive, does not cause undue delay, and provides efficient sequencing of deadlines. This request for additional time is within the 21-day requirement under Local Rule 26-3.

Accordingly, good cause exists for an enlargement of time of the following deadlines by 14 days as follows:

- Discovery cutoff: May 9, 2025
- Deadline to Serve Discovery: April 4, 2025

- Deadline to File Discovery Motions: May 19, 2025
- Deadline to Disclose Experts: March 6, 2025
- Deadline to Disclose Rebuttal Experts: April 7, 2025
- Dispositive motions: June 4, 2025
- Joint proposed pretrial order: July 4, 2025, or 30 days after resolution of dispositive motions.

IV. CONCLUSION

Based upon the foregoing, the parties respectfully submit that their *Stipulation and Proposed Order to Extend Discovery Deadlines* meets the good cause standard and should be granted.

IT IS SO STIPULATED.

DATED this 20th day of February 2025. DATED this 20th day of February 2025.

MCLETSCHIE LAW


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ORDER

IT IS SO ORDERED.



U.S. MAGISTRATE JUDGE

DATED: February 21, 2025.